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JUL 16 2007

Serial No. 10/758,555
Amendment After Non-Final**REMARKS**

The following remarks address the Office Action of April 16, 2007. Reconsideration and allowance of Applicants' claim are respectfully requested. Claims 1 and 9 are pending in this application. As would be explained in detail below, applicants respectfully submit that proposed claim 1 is allowable over the prior art.

Although no fee is believed to be due in association with the instant response to the Office Action, the USPTO is authorized to charge any required fees to Deposit Account 50-0958.

Prior Art Rejections

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ide (US 5,039,275) in view of Montgomery (US 4,106,639) and Toniolo (US 4,431,359). As amended, Claim 1 requires, *inter alia*, a sensor grid, "positioned between the second pair of vertical posts, the sensor grid also positioned adjacent the delivery vehicle opening." Claim 1 also requires, "an elongated bottom support attached to the first pair of vertical posts." Claim 1 further requires the lifting device to be "mounted on the elongated bottom support," and to be "attached to the underside of the platform at a substantially central location of the platform." Applicants respectfully submit that the prior art does not teach or suggest the claimed system.

Sensor Grid and Sensor Grid Positioning NOT taught or suggested:

The prior art, either taken singly or combined, do not teach or suggest the claim 1 requirement for the sensor grid, nor the requirement for the location of the sensor. None of the references to Ide, Montgomery, and Toniolo teach a sensor grid. As outlined in the outstanding Office Action, Ide provides a general teaching of a sensor. However, Ide does not teach a sensor

JUL 16 2007

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grid as required. Additionally, none of the references to Montgomery and Toniolo teach the use of a sensor grid.

Furthermore, none of the references teach or suggest the requirement for a sensor in the *recited location*, i.e., positioned between the second pair of vertical posts, and positioned adjacent the delivery vehicle opening. As shown in Figure 1, Applicants invention teaches the sensor grid being positioned between the second pair of vertical post 22. As illustrated in Figures 1 and 4, the sensor grid is positioned adjacent the delivery vehicle opening. In the outstanding Office Action, the Examiner states that Ide teaches sensor grid means. Assuming *arguendo* that Ide teaches a sensor grid, there is no teaching of any location for the sensor. None of the references to Montgomery and Toniolo cures this deficiency of Ide, i.e., provide a teaching of a sensor between a second pair of vertical posts and adjacent to a delivery vehicle opening. Additionally, none of Ide, Montgomery, and Toniolo suggests why, given the primary teaching of Ide, one of ordinary skill in the art would position the sensor in the recited location. For these reasons, Applicants respectfully argue that claim 1 is allowable over the prior art.

Overall Four-Post Loading Structure NOT taught:

Applicants' invention includes a four-posts loading arrangement that is not taught or suggested by the prior art. In Applicants' four-post structure, the loading elements are associated with the first pair of posts of the four-post arrangement, and the sensor grid is associated with the second pair of posts of the four-post arrangement. As shown in Figures 1, 2, and 4, Applicants' invention includes loading elements including the elongated bottom support 12 attached to the first pair of vertical posts 14. Figures 1 and 2 show the lifting device mounted on the elongated

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bottom support, and attached to the underside of the platform at a substantially central location of the platform. These loading elements are distanced from the second pair of vertical posts 22.

Figures 1 and 4 show the sensor grid associated with the second pair of vertical posts 22, operatively distanced from the first pair of vertical posts 14. This four-post arrangement allows the sensor grid to monitor variables in the delivery vehicle receiving opening, such as lateral spacing, vertical height, longitudinal spacing, and container size, without undue interference from the loading elements, which are associated with the first pair of vertical posts. The prior art of Ide, Montgomery, and Toniolo do not teach or suggest this overall arrangement. For these additional reasons, Applicants respectfully argue that the claimed apparatus is allowable over the prior art.

Claim 9:

Claim 9, which depends from independent claim 1, is also allowable over Ide, Montgomery, and Toniolo, because it incorporates the limitations of claim 1. Furthermore, claim 9 adds the requirement for hydraulics that further distinguishes the prior art.

Conclusion

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application, withdrawal of all rejections, and the timely allowance of all pending claims. Should the Office feel that there are issues outstanding after consideration of this response, the Office is invited to contact Applicants' undersigned representative at the telephone number listed below.

Serial No. 10/758,555
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Respectfully submitted,

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